



BUREAU OF AUTOMOTIVE REPAIR

Advisory Group Meeting

October 18, 2004



MEETING MINUTES

♦ Advisory Group members in attendance:

Lou Anapolsky
George Hritz
Carol Bartels

Dennis DeCota
Marty Keller
Chris Walker

Paul Frech
Jack Molodanof

♦ BAR staff in attendance:

Richard Mundy
Mike Vanderlaan
Debbie Romani
Jerry Dinsdale
Marty Gunn

James Goldstene
Allen Wood
Cindy Wymore
George Adelsperger
John Rojo

Glenn Mason
Jim Allen
Rick Fong
Wayne Brumett

♦ Welcoming Remarks:

Richard Mundy conducted the meeting for Richard Ross, BAR Chief. The meeting was called to order at 9:37 a.m.

Self-introductions of the Committee members were done, so everyone in the audience would know the members.

Mr. Mundy stated the Executive Office has been busy with the Smog Check Referee CCF/CCCF change to the recognized foundation, executing a one year contract with the option for two 1-year extensions. He stated that BAR will need to look at alternative methods for referee over the next year.

Mr. Gunn stated that there should be no visible change to the industry or public. BAR needs to look at a change to the action codes.

ET contracts – BAR is working to keep old contractor going until the new contractor is “on board.” The transition should be transparent to stations and consumers. The new vendor is SGS Testcom.

The Advisory Group would like to see the meeting agenda out earlier – maybe 12 days before next meeting, instead of 10 days.

Mr. Mundy announced that the order of agenda items would be changed to accommodate several individual's competing schedules.

♦ **Advisory Notice Update:**

For the period of 6/15/04 – 10/14/04:

Complaints	6,889	
Violations	2,150	
Verbal Notice	1,871	(87%)
Written Notice	257	(12%)

Trends: Written notice is elected more often, when dealing with BAR over the phone. (Mediation Centers 20% / Field 8%)

The following questions were asked regarding the Advisory Notice:

Question: Who did BAR talk to and what do BAR representatives say?

Response: Mr. Mundy stated that BAR employees are instructed to speak with the owner or responsible managing employee (RME). The BAR employee reads from a letter and provides the owner/RME with a copy. The inspection report goes in master file. There is concern with certain auto repair chain stores not asking for a written Advisory Notice. We could fall back to options already in place (centralized complaint mediation program).

We are not getting enough data from the pilot program; we need to wait a little longer for more data. Mr. Mundy stated that the data shows percentage of complaints resulting in refund, rework or adjustments, with or without a violation. Consumer complaints aren't always about the violation.

♦ **Complaint Handling Process:**

John Rojo, from the BAR Sacramento field office, gave a detailed presentation on the complaint handling process and fielded questions.

One question related to the consumer's allegations by ranking. Mr. Mundy commented that about 25,000 consumers file complaints each year, either by mail, email or in person. Approximately 50% of all consumer complaints contain allegations relating to competence or negligence, by far the #1 allegation.

Mr. Mundy also explained the process used when patterns of violations are detected in the complaints received against a specific auto repair dealer. He explained the office conference process and the disciplinary action process.

Lou Anapolsky asked how many repair facilities does BAR run each year? Mr. Mundy explained that BAR's annual report contains the number of investigations.

Charlie Peters asked, regarding cases reported in the *Repair Reporter* and the *Smog Check Advisory*, how is it determined to take action? Mr. Mundy explained that most auto repair cases involve a pattern of charging for services/parts not provided.

♦ **Update on Consumer Outreach:**

Cindy Wymore explained that the Chief has been holding roundtables throughout the State. BAR Communications staff has been writing articles regarding issues brought up at these roundtables.

Outreach presentations have been made to consumer groups for more consumer awareness. One auto technician issue currently is that high school programs are being cut due to rising costs. Companies are adopting high school programs using outside PR for publications; mostly using in-house.

♦ **Reconvene from Lunch 1:25 p.m.**

♦ **Ombudsman Update:**

Rick Fong explained that calls have been slow – only 80 calls in last four months; no complaints. The Ombudsman was set up to be a neutral, unbiased intermediary between members of industry and BAR when there is a difference of opinion or conflict. Mr. Ervine asked when the volume of calls dropped off? Mr. Fong stated that the trend started in June. Mr. Peters commented that Rick Fong has the potential to be a good resource.

♦ **Update on Sub-committee on General Automotive Repair Technician:**

BAR employee said competency is a major issue. How should this be addressed by BAR? Committee member suggested recommendations be made – maybe by Enforcement Monitor. Should we mandate a technician's education or not? BAR is trying to recruit members to balance the sub-committee before the next meeting is set. Things to be discussed at the next meeting: Overview of funding issues – Should government be involved/mandated? Past legislation may have only dealt with one issue at a time.

Mr. Ervine commented that the Department of Education is working on high school automotive program requirements. They are currently trying to set standards for teaching auto tech repair; they have an Advisory Committee. Mr. Ervine thinks BAR should consider taking advantage of this opportunity.

When BAR's committee first started discussions, the issues were "technician licensing" and "technician competency". At the first meeting the committee found they didn't have ALL the people present that need to be at the table. The committee was to look at other issues like technician licensing, supply of technicians. Committee is still in formation stages.

Lou Anapolsky – This is a huge issue; we don't have all the representatives needed to address the sub committee's issues. Competency is a major problem. How do we address this issue? Committee could make recommendations or maybe the new Enforcement Monitor would. Any solutions relating to Automotive Service Excellence training (NASE)? BAR is aware of the association, but no decisions have been made yet, on how NASE's services could be utilized.

Maybe BAR should look at construction/building trades, to see how they are set-up for training.

An audience participant from Michigan said his State licenses technicians only, requires ASE certification, and no additional money. ASE is a non-profit training organization.

Charlie Peters wants to attend the meetings of the Sub-committee for Technician Competency, if it is OK with the BAR Chief.

♦ **Legislation:**

AB 973 – Firebaugh – increases \$1.00 to \$1.75 for tire fee.
Legislation leaned toward diesel trailer vehicles; this is a budget bill.

Training programs for smog technicians costs about \$10,000 and the training facilities don't get anything from BAR. CSLB has program for training – could BAR do this?

How many additional cars are going to be exempted?

Diesel emissions reduction (Moyer bill) – when is the diesel population going to have to pay their part?

Regulations package – Add website to ARD sign.

Comments will be taken after filing public notice, maybe by the end of the year.

2128 – HPRRA – VIRF fee swapped.

2683 – Appeal 30-year rolling exemption – can opt for collector car status.

◆ Other Questions:

Chris Ervine – Next year, expand collector car definition.

Paul Frech – Regarding smog, what is the percentage of cars being referred to test-only – 36%, 51%, or 52% are going to test-only?

What is the number of cars tested in enhanced areas?

Rich – Next meeting we will provide numbers in a letter, given to Chris and Larry.

Rich – SB1107 – cars out of the program, Test-Only and Test-and-Repair may be reduced, also numbers by model-year.

What is 36% based on?

How many are directed to test-only?

Keeping track of how many customers are sent to test-only – 80% (80 out of 100 are going to test-only).

Enforcement Monitor – Development of 'Scope of work' is currently being worked on.

◆ Regulation Update:

Delegation of authorization.

Incorporate Smog Check Manual into regulations.

Workshops, then regulations hearing on Test-Only.

Repairs done at Test-Only.

Co-location of two stations, Test-Only and Test and Repair.

Looking at lowering cut points after test? Annual testing?

Where are we on evap testing? Regulations package on hold – equipment availability.

◆ Agenda Items for Future Meetings:

- Introduce Enforcement Monitor.
- Publish hearing dates in Smog Check Advisory.
- Discussion of formula for 36% Test-Only direction.
- Follow-up on elimination of Fast Pass – consider when TAS will handle it (software update?)
- Check website on TAS (software updates) Paul will fax copy.
- Safety Inspections.

Announcements:

Next Meeting – January 10, 2005.

Make sure you are on the interested parties' mailing list.

♦ **Adjourned 3:05 p.m.**